

February 26, 2018

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 p.m. Present: Mayor Carl E. Patterson; Trustees E. Peter Forrestel, Michael R. Middaugh, Brian T. Perry and Darrin L. Folger; Village Attorney Andrew Borden, Treasurer Tammy Kelley, Clerk Jayne DeTine, and Code Enforcement Officer Michael Borth.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Folger and seconded by Middaugh that the Minutes of the Regular Meeting of February 5, 2018 be and hereby are approved by the Village Board.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION, duly moved by Forrestel seconded by Folger that the audit of the bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$	25,158.10
Electric Fund	\$	224,661.75
Water Fund	\$	7,209.50
Sewer Fund	\$	3,568.41

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Middaugh and seconded by Perry that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Newstead Historical Society	145 Main Street	Roof	\$100.00
Dennis Freeman	61-63 Main Street	Siding	\$100.00
Team S&S Properties	14 Hart Street	Fence	\$50.00
Mark Dean	209 East Ave	Roof/Wind/Remodel	\$360.00
Sprint/Cold Springs	3 Flint Street	Cell Tower Repair	\$500.00
Verizon/Cold Springs	3 Flint Street	Cell Tower Repair	\$500.00
Russell Ormsby	48 Cedar Street	Deck	\$90.00
Gordon Hohensee	43 Wesley Drive	Roof	\$50.00
Donald Fisher	6 Danita Drive	Roof	\$50.00

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Folger that the following Application for a Plumbers License for the year 2018 be and hereby is approved in accordance with the application filed and payment of the annual license fee of \$75.00:

John Babcock	Corfu, NY	Renewal	\$75.00
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ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE

MICHAEL R. MIDDAUGH - AYE
BRIAN T. PERRY - AYE
DARRIN L. FOLGER - AYE

PUBLIC HEARING – none

APPEARANCE – Akron Mobile Home Park Residents along with County Legislator Ed Rath – Akron Mobile Home Residents Ron Barone, Mr. & Mrs. Gary Karasckiewicz, Mark Towery, Patricia Damon, John Mosier led by Maribeth Sheedy as well as Legislator Ed Rath came before the Board to discuss their issues of rent increases, property maintenance and detailed water billing with the new Park Owner Sunrise Capital Investments out of Clearwater, Florida. Legislator Ed Rath recognized the residents’ issues and provided a letter of support by asking Sunrise Capital Investments to meet with the residents and discuss resolutions to those issues. Legislator Rath would also like to schedule a meeting with the Village Board, State Senator Michael Razenhofer, State Congressman Christopher Collins, State Assemblyman Michael Norris and Akron Mobile Home Park residents to collaborate support and a path to change. Mayor Patterson as well as Attorney Borden stated although the Village Board has a limit of what it can do, it definitely can offer support to the Akron Mobile Home Park residents in appealing to upper levels of government and can send a letter stating that support to Sunrise Capital Investments.

PUBLIC COMMENT – None

PROJECT REPORTS –

CDBG Year 2017 Project – Marshall Avenue, Morgan Street, Cedar Street Waterline Loop – The Clerk reported that Public Works Manager Jon Cummings has stated that he would like to begin the project within the next 2-3 weeks.

Route 93 Bridge Project – Start up to begin Memorial Day Weekend 2018. DPW Electric Foreman would like to begin moving the power lines for the project next month.

MONTHLY REPORTS –

Departments –

TREASURER – submitted: the January 2018 report as well as the February 9, 2018 Finance Committee report; also scheduled Budget meetings for Tuesday March 6, 2018 at 6:45 pm and Wednesday March 7, 2018 at 6:00 pm at the Village Hall. Village Treasurer Kelley recommended the Board approve the following budget transfers:

RESOLUTION duly moved by Folger and seconded by Forrestel to approve the following budget transfers as per the recommendation of the Village Treasurer and the Finance Committee be and hereby are approved.

Water Fund:

Raise Revenue		
F2650	Sale of Scrap Metal	\$4,197.21
Raise Appropriation:		
F8340.0200	Distribution Equipment	\$4,197.21

To account for increase sales of scrap

Sewer Fund:

Budget Transfer
G1990.0400 Contingency Account to G9770.0700 RAN Interest \$162.33

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
BRIAN T. PERRY - AYE
DARRIN L. FOLGER - AYE

AKRON FIRE COMPANY – absent

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Perry – reported: received the PLM Report regarding the effect on the Akron Power Supply with a High Density Spot Load and will have a full report at the next scheduled Board meeting March 5, 2018.

Trustee Middaugh – reported: attended a Master Comprehensive Plan meeting this evening and still working on the final draft of the plan; along with Trustee Folger met with Jason Ladd and Gary Baehr from the Akron Fire Company last Saturday.

Mayor Patterson – reported: requested an executive session regarding personnel.

Trustee Forrestel – reported: attended Finance Committee on February 9, 2018.

Trustee Folger – reported: along with Trustee Middaugh met with the Jason Ladd and Gary Baehr of the Akron Fire Company last Saturday.

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land – Village Attorney Borden stated that he has been in communication with the UB Department of Architecture and has been invited to join them for a meeting on March 27, 2018 at 4 pm to discuss this project. The Department has offered to extend some services for the design of the project. More to follow.

Public Works Facility at 43 East Avenue – nothing

Cable Contract – nothing

Corrective Action Plan –quarterly review completed December 18, 2017. Next review will be in March 2018.

Sewer Maintenance Agreement – Attorney Borden and the Water/Waste Water Committee recommended approving the Amended Sewer Use Agreement for District No. 2 and the Sewer Maintenance Agreement also for District No. 2.

RESOLUTION duly moved by Forrestel and seconded by Perry to approve the Amendment to the Sewer Use Agreement between the Village of Akron and the Town of Newstead Sanitary Sewer District No. 2 be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Middaugh to approve the Sewer Maintenance Agreement between the Village of Akron and the Town of Newstead Sanitary Sewer No. 2 be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

Grease Trap Regulations – Attorney Borden and Code Enforcement Officer Borth drafted a Grease Trap Regulations Policy and distributed for the Board to review after comments from the Board Attorney Borden will revise the draft for the final review and approval.

State Street Bridge – nothing

Sewer RBC Replace or Rebuild – The Clerk reported that the Public Works Manager spoke to Mark from Schuknecht Fabrications and learned that Mark has done some final fittings on the plates and hopes to get them fitted and welded by the end of this week.

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Middaugh to allow Robert J. Lucia and Robert C. Lucia to attend the NYWEA 36th Annual Greater Buffalo Environmental Conference on Tuesday March 20, 2018 at the Adam's Mark Hotel in Buffalo, NY at a cost of \$90.00 each be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Folger and seconded by Perry to allow Treasurer Tammy Kelley and Deputy Clerk Treasurer Sarah Kyre to attend the Logics User Group meeting on March 15, 2018 in Buffalo at no cost except for travel be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Perry to approve the payment of \$7,350.00 to Guis Lumber/Ace Hardware for 14 replacement windows for the Village Hall be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Middaugh and seconded by Folger to approve the IEEP refund of \$7,350.00 for the 14 replacement windows for the Village Hall be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Folger and seconded by Middaugh to approve the 2017 Akron Fire Company Service Award Program Firefighter record as provided by the Akron Fire Company be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

CORRESPONDENCE –

Letter from County of Dutchess, County Executive Marcus J. Molinaro regarding “ThinkDIFFERENTLY” initiative.

Letter from NYSDOT regarding the soliciting of candidate projects for the funding under the BRIDGE NY Program.

Town of Amherst Central Fire Alarm Annual Operations Report for 2017.

PUBLIC COMMENT: none

RESOLUTION duly moved by Folger and seconded by Forrestel to go into an executive session regarding personnel matters at 8:53 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Folger to come out of the executive session regarding personnel matters at 9:06 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

After a brief recess, the Village Board traveled to the Town Hall for a joint meeting with the Newstead Town Board at 9:07 pm.

Master Plan – Town Supervisor Cummings stated that a meeting of the Master Comprehensive Plan met earlier this evening to discuss the final draft of the plan. Village Mayor Patterson recommended to set up a Joint Committee to follow through with the plan implementation.

Sewer – Discussion was held regarding the future Sewer Plant upgrade and specifically the portion built out for the Town commercial use up to Main Rd. The Village confirmed that the Town would receive 300,000 gallons per day at a cost for the improvement to the Town at \$3.3 million. The Town Board will review and let the Village Board know of their final decision. Councilman Burke and Trustee Forrestel will meet with Steve Tanner from Clark Patterson Lee to review the Sewer Plant upgrade alternates.

Buell Street Bridge Project - Discussion was held regarding the project such as bid approval, selected Contractor, start date, future public meetings and detours as well as a temporary pedestrian bridge installed for walkers.

Bike Path Status - Town Supervisor Cummings stated that he has been named lead on the project and has received several bids. After review, the Supervisor will let the Village know the bid winner. He also stated that the project is tentatively scheduled for May-September 2018. Discussion was also held regarding options to warn cyclists of through traffic at intersections along the path.

Code Enforcement Officer – Town Supervisor Cummings notified the Village Board that the Town hired a full time Code Enforcement Officer, Larry Hull, who will start on March 1, 2018. Current Town Part-time Code Enforcement Officer, Michael Borth, will complete his last day on February 28, 2018.

Town Wide Ditching – At the request of the Village Board, the Town sent over information regarding the tax collection and disbursement of funds for the Town Wide Drainage/Ditching. The Village Board thanked Town Clerk, Dawn Izydorczak and Town Secretary to the Supervisor, Colleen Salmon for all their help in providing the requested information. Village Mayor Patterson stated that they had questions on the ratio of spending Village vs. Town and the process to add a Village project to the list. Village Trustee Perry asked if the Village could receive an Annual Report of the drainage/ditching funds and if the Village Board could be a part of the project decision process. Town Supervisor Cummings

reported that 2/3 of the projects completed to date are Town Projects leaving 1/3 Village projects. Supervisor Cummings listed the following Village projects from 2006 to present as: Railroad behind Ford Gum/Aakron Rule, Behind Parkview Drive residents going from Buell Street to the Park, Town Hall going north and south to Pixley's and East and West along Pixley's, Behind Pixley's and the Cloisters, By Agway and Perry's mechanic garage, Whiting Door parking lot ditch, Aakron Rule, Akron Sewer Plant, Skyline Drive, Clarence Center Road to Hake Road, Along 5 Jackson Street going east to Murder Creek, and pulled trees out of Murder Creek along Skyline Drive. He also mentioned that a large amount of drainage/ditching funds were used for the Murder Creek Project.

Joint Facility - Village Trustee Forrestel reported at a Joint Facility Committee meeting that one of the topics was of the issue of signage for the yard waste and brush drop-off. The Village is required to submit reports to the DEC that include the amount of material that is accepted. In order for us to know the volume, users need to report to the office and inform our staff what they are bringing and the volume. The office staff will have a sign in sheet available, but signage is needed to inform the users to report to the office. Trustee Forrestel distributed the quote from Signmatic Systems, Inc. for the proposed signs. The Town Board approved the quote and agreed that the Village would order the signage and send a copy of the bill to the Town.

Other – Discussion was held regarding this year's Household Hazardous Waste and Electronic Recycling events. The Village Clerk reported that this year the events have been scheduled for Saturday April 7, 2018 and Saturday October 6, 2018 and that along with Hazardous Waste and Electronic Recycling, the Shred-it event will also be included on those days. The events will be private for Village and Newstead residents only and still be held at the Joint Facility at 12707 Clarence Center Rd running from 9:00 am until 12:00 pm. Town Supervisor Cummings thanked the Village Clerk for coordinating the events.

At the request of Town Supervisor Cummings both Boards entered an Executive Session regarding contractual issues.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to go into a Joint Executive Session regarding contractual issues at 9:50 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Middaugh to come out of the Joint Executive Session regarding contractual issues at 10:26 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

On motion of Forrestel and seconded by Perry at 10:27 p.m. this meeting was ADJOURNED

MAYOR

CLERK